



August 11, 2005

175 SOUTH FRANKLIN STREET, SUITE 418 JUNEAU, ALASKA 99801 907.586.4050 WWW.OCEANA.ORG

MLPA Initiative Public Comments
c/o California Fish and Game Commission
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Attn: Mr. Robert R. Treanor

RE: Comments on MLPA Draft Master Plan Framework

Dear Members of the California Fish and Game Commission:

Oceana would like to thank the commission for the opportunity to comment on the California Marine Life Protection Act Initiative Draft Master Plan Framework. We applaud the commissions' efforts to ensure the implementation of the MLPA is an open and transparent process. It is clear that the MLPA has tremendous potential to restore and protect California state waters, and we hope that our comments and participation will help with this effort.

Oceana is an international oceans advocacy organization. Our teams of marine scientists, economists, attorneys and advocates win specific and concrete policy changes to reduce pollution and to prevent the irreversible collapse of fish populations, marine mammals and other sea life. Our comments on the California MLPA Initiative Draft Master Plan Framework are as follows:

The goal of ecosystem-based ocean management off the California coast should be no less than to restore the condition of the California Current Large Marine Ecosystem, while still providing for sustainable human use. Unfortunately, this goal can only be partially met within the limited geographic scope of the defined MLPA. The MLPA ends at 3 nautical miles from the California coastline, while the marine ecosystem naturally extends much beyond that. As such, it is imperative that the development of proposals to meet the objectives of the MLPA is not limited to those within 3 nautical miles of shore. We may find that the placement of a particular Marine Protected Area to meet the defined objectives includes areas located outside of state waters.

The MLPA framework mentions considering complementary programs that may help meet the defined goals and objectives of the MPA network. The framework should also address the fact that certain programs or actions in contiguous waters may compromise, if not jeopardize, the objectives of the MLPA. For example, many policies that address fisheries management are more precautionary within state waters than outside. For example, the harvest of krill is banned within state waters but is not banned in federal



CHLORINE BLEACH FREE

waters. The framework should indicate how compromising policies and cross jurisdictional issues will be addressed.

It is important to emphasize that the goal of a MPA network is not necessarily to only enhance commercial fisheries. In fact, the first goal that the MLPA sets for the program is "*to protect the natural diversity and abundance of marine life, and the structure, function, and integrity of marine ecosystems*" [FGC subsection 2853(b)]. However, the MLPA framework seems to place emphasis on commercial fish species that will benefit from placement of MPA's. This is reflected in the *Appendix G Master List of Species Likely to Benefit from Marine Protected Areas*, which comprises solely of marine fish and invertebrates of commercial importance or caught by commercial fisheries. We request that the master list of species must be more inclusive, and for example must include many more marine mammal, seabird, and sea turtle species.

We realize and appreciate that the process to assemble the best scientific information to inform the MLPA process must begin quickly. The development of a comprehensive MPA network will require the input from hundreds of data layers of differing scale and scope. Combining these disparate data layers into GIS will take considerable effort. A useable GIS product is necessary and must be made available in order for stakeholders to participate in the MLPA process.

In addition, we specifically support the science team recommendations to expand the habitat definitions in the MLPA to include ocean circulation features such as upwelling centers, freshwater plumes from rivers, and larval retention areas. In addition, we support the science team recommendation for stratifying habitat by depth zones.

The Marine Life Protection Act may well be a model for ocean conservation and management. We are heartened that there is a specific timeline for implementation of an MPA network within the next five years. That being said, approval of the master plan framework and development of proposals must proceed expeditiously.

Oceana is committed to participating in this MPA designation process and will take an active role in defining the objectives and developing alternatives for the MPA network. Thank you in advance for your consideration of our comments, and we look forward to participating in this important process of building a network of Marine Protected Areas in the State of California that will ensure vibrant coastal waters for generations to come.

Sincerely,



Jim Ayers
Director, Pacific Region